

**SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES
AND BASEBALL**

March 29, 2004

5:30 PM

Chairman Lopez called the meeting to order.

The Clerk called the roll.

Present: Aldermen Lopez, Gatsas, DeVries, Smith

Absent: Alderman Guinta

Messrs: R. Ludwig, S. Smith, Deputy Chief Simmons, F. Thomas

3. Communication from Ron Ludwig, Director of Parks, Recreation & Cemetery, relative to parking at the JFK Coliseum and Gill Stadium during NH Fisher Cats baseball games and submitting a proposed agreement between the City and NH Fisher Cats.

This item was deferred to follow item #4.

Chairman Lopez advised that a motion would now be in order to enter non-public session under the provisions of RSA 91 A:3 II(d) to open and discuss the appraisal, the review of the appraisal, and sale of property related to the project and that members of the City's staff, the appraisers, and any Alderman present shall attend such session.

Alderman DeVries so moved to enter non-public session under the provisions of RSA 91 A:3 II(d). Alderman Lopez duly seconded the motion.

Solicitor Clark advised that it was in the best interest to discuss sale of property in non-public session.

A roll call vote was taken. Aldermen Lopez, Gatsas, DeVries, and Smith voted yea. The motion carried.

On motion of Alderman Smith, duly seconded by Alderman Lopez, it was voted to exit non-public session, and return to public session.

Chairman Lopez called a brief recess to allow all waiting outside the area to return to the Chambers.

Chairman Lopez called the public session back to order and requested the Clerk to advise.

Deputy Clerk Johnson stated the Clerk would advise that the Committee went into non-public session, discussed the purpose for which it had intended to go into non-public session and during such non-public session they unanimously voted to seal the recording, minutes and all related documents of the non-public session. The Committee further acted to offer the property in question at a price of \$4 million with Aldermen Lopez, DeVries and Smith voting in favor and Aldermen Gatsas voting against the motion.

Alderman Gatsas stated my belief is that I voted against that motion because I believe that the property is worth more than that to the City.

Chairman Lopez addressed Item 3 of the agenda:

3. Communication from Ron Ludwig, Director of Parks, Recreation & Cemetery, relative to parking at the JFK Coliseum and Gill Stadium during NH Fisher Cats baseball games and submitting a proposed agreement between the City and NH Fisher Cats.

Alderman Smith stated this was addressed at our last meeting and there was supposed to be no charge for the use of Gill Stadium yet when the correspondence came back there was a charge. I think it should stay the same. The Committee voted in favor of not charging for parking.

Alderman DeVries stated I would comment that at the last meeting we also asked staff to go out and address some of the security issues and the cleaning up of the parking lots after and to come back with a plan to address that. I think that is what you have before you. The information that I have is that if we do not control in some fashion that parking lot that it will fill up first with the vendors because they will certainly be the first ones on the scene hours before the game so by trying to give the residents of Manchester free parking we will exclude them from the immediate area and it will fill up instead with the people who are working at that stadium. They will certainly be the first ones there. The taxpayers will be incurring the cost for policing and for coming in and cleaning up the parking lots after. I think coming to this agreement is the only viable and fair way that we have to deal with the parking at Gill Stadium.

Alderman DeVries moved to approve Scenario #2 in the agreement.

Alderman Gatsas stated again I go back to either a week ago or two weeks ago when Alderman Smith said that we very seldom agree but we agreed on this one. I agreed that...my concern was that they are charging \$4 for the admission to a ballgame so I don't think we should be charging \$4 for parking. If that is the case then if it is \$4 that

was the agreement coming back then let the City charge it and we will hold on to the money if that is what people want to do. I was just trying to make it accommodating for the people going to the ballgame. If you have two or four people there for two hours before a game and it was \$40 per hour for a total of \$80 I think that would be an easy amount for supervised parking at \$100 game. You are talking about 70 games so that is \$7,000. I guess we were just trying to make it convenient for the people to go watch the ballgame.

Chairman Lopez responded I agree but we have talked about this over and over again. In the minutes and you can go back to the minutes if you want to and the very first thing that comes up is control. We directed them to come back with a document. We don't have to spend all night on this. If there is no control and there is free parking at JFK Coliseum so be it. There is going to be a mess over there. If you want control as was talked about in the minutes then I don't know how you are going to expect to have people out there controlling that without some type of compensation. If Parks & Recreation can't do it and these people are willing to come in and do the control, clean up the parking lot and have some type of control going to that parking lot...they are trying to get people to the ballgame and that is the cooperation I think that we are trying to do here.

Alderman Smith stated I would just like to go back. I was for this baseball program from the beginning and I still am. I am just trying to provide a service for the citizens but I went back on the leases and checked and it is funny that on Exhibit A the parking lot says area to be used for event parking. There is no question in my mind that they were going to charge for parking and so forth like that. Why is it now that JFK is coming up? Why wasn't this put in the lease for Gill Stadium and then we could decide all at once? I firmly believe it is going to impact the area. I was born and raised in the area and if anybody went to the game yesterday somehow the people from BC and Michigan...everybody found a parking spot. Isn't that amazing? 10,000 people were there and they all made it. I would just like to point out two other things. We voted on it once 3-1. It shouldn't come up again and the only one that can bring it up is somebody who voted in the affirmative. Secondly, as far as Parks & Recreation cleaning up I have been up there on many events on the weekend and I don't think these people are going to eat for two or three hours. I think they are just going to park their car and go to the game. Most of the games on Saturday are at 1:05 PM it will change at the end of June when they go to 5:05 PM. I would just like to say that the Deputy Clerk sent a letter to Parks & Recreation stating that there would be no charge for Gill Stadium to find a remedy for parking control. Now for parking control I would suggest, and this is my suggestion, that Parks & Recreation has a painting machine and they can paint the lines and paint the entrance way and so forth and the Police have the authority to cite or tow anybody that blocks and entrance or exit and I know because I have been downtown where I have gotten a citation saying that I didn't park between the yellow lines and I think we can monitor it this way. To say that there are going to be extreme costs for clean up, I don't believe it and I really think that we should afford our citizens the opportunity for free

parking. We are bonding this baseball stadium for \$27 million and I think it is the appropriate thing to do.

Alderman DeVries stated I would counter. I just don't think it is appropriate for us to pass the clean up costs at all to the taxpayers. I don't...we are offering free parking at the Highway garage and Water Works. I am sure there will be other areas of very reduced parking. It is not inappropriate to think if you want to park at the closest facility that is controlled and secure during the game that you pay for it. I think people will, as they have shown us around the Verizon, pay. I know when I have gone to different events I have paid in excess of \$10 for the closest of the parking spaces.

Alderman O'Neil stated I don't really know what to read into this other than what do we do now when there is a Friday night football game. Who cleans up Saturday or Sunday? We are having this whole discussion about security and clean up and my personal opinion is it is all about ways to make money here. I think it is unfortunate that it is heading that way. We don't worry about...we don't get all worked up about security in those parking lots when there are high school events going on or other events at the JFK and we don't worry about it during American Legion baseball or Babe Ruth baseball but now we are going to start worry about it because there is minor league baseball coming? I think it is wrong. What about the people who use the Regis Lemaire Center or Hunts' Pool or the Pony League. They park in the JFK parking lot now. What are we going to do to them? Where are we going to send them to park? I think we have already disrupted the neighbors, in my opinion on Bell, Green and Grove Streets. For 365 days they are going to have to have resident parking. I agree with Alderman Smith. With proper enforcement if people do not park properly they should be tagged or if in certain cases they park in front of a fire hydrant they should be towed. The only thing I can read into this is this is an effort to raise money to pay for other expenses. That is the only thing I can read into this. It has nothing to do with security or clean up. We don't do it now. I don't know why it has to be an issue for minor league baseball. We don't do it for high school or other youth activities in that area.

Chairman Lopez responded I just want to remind you that we told them to come back with something. Shawn Smith is here and I would like him to come up and make any comments he would like out of courtesy and professionalism that he has shown.

Mr. Shawn Smith stated I came back here a few weeks ago and presented to the sub-Committee and also at various meetings with the Clerk's Office and with Mr. Jabjiniak and so on. The parking issue, quite honestly, we are just trying to figure out a solution. We said from the very beginning that if it is free, fine. There needs to be controls and certain checks and balances because we are worried about creating structure around the ballpark for the citizens that are going to be brought into this City that aren't familiar with Gill Stadium. Believe it or not, although it has been around for 91 years not everyone is familiar with Gill Stadium. I said from the outset that we did not plan on any

parking at all. I made that very clear to you, Mr. Chairman, Alderman Gatsas, Alderman DeVries, Alderman Smith and Alderman Guinta that whatever the City decides to do is fine with us. We are just trying to offer a solution. So to sit up here and be accused of trying to use this as a revenue stream is certainly improper. The sub-committee has been fully aware of our intention from the get go. Whatever the Board decides to do, that is fine. We just encourage the Board to be able to take the proper action to create structure and balance around the ballpark to create a good experience for the fan. That is all we are trying to do.

Alderman DeVries stated I just wanted to also comment for Alderman O'Neil that at the Verizon we use the revenue coming from the parking meters to offset some of the additional police costs that are required at the event. I anticipate the same need at this facility for some additional crossing guards if you will or citizens crossing the streets at the beginning and end of the games and crowd control in the area. I just don't think it is fair for us to offset those expenses to the taxpayers when we have a very simple solution in front of us that I just don't think is...I don't think it is tough. It is a user fee and a very minor user fee to prevent those that didn't want to see Gill Stadium because baseball or any other form of baseball from having to pick up the additional expenses. I just don't think it is that tough.

Alderman O'Neil asked what additional expenses are there.

Alderman DeVries answered police.

Alderman Smith stated no police are under contract.

Chairman Lopez asked what is your question again.

Alderman O'Neil replied what additional expenses are being suggested here. Clean up? I am suggesting that we don't do clean up now or it is done by Parks employees on Mondays. We are worrying about...there is a line in here that says, "no one would be responsible for monitoring vehicles during the game other than regular Manchester police details." Who monitors parking when other events go on at JFK or other events at Gill Stadium? No one.

Chairman Lopez stated the Police are here and I would ask Deputy Chief Simmons to please come forward.

Alderman Smith stated I think in the agreement and Shawn Smith will agree that the cost of the police is a burden on their agreement with the City of Manchester. Am I correct, Shawn?

Mr. Smith responded yes but I believe that is a separate issue for a separate discussion.

Alderman Smith asked but you will be hiring police for outside and inside the ballpark.

Mr. Smith answered yes. If I could just interject. One of the first things I suggested to Ron Ludwig and also suggested to you, Sir, was the same thing we suggested to Sweeney Post. We made an arrangement for our players to park there. My recommendation to Sweeney Post was to be able to operate their parking lot, charge for parking, make revenue if they choose to do so and let someone take advantage of the opportunity. We weren't looking to do so. One of my first suggestions here also was that the City should run it, keep the money...I am fine. I don't care who gets the money. I think someone should be able to take advantage of those opportunities whether it goes to youth programs or whether it goes to the fund that Mr. Ludwig has for his operation. If there is an opportunity there to benefit off of this, someone should. Whether it is the ball club, fine. If it is the City, fine. If it is the Police Department or Youth Services, fine. I think there is an opportunity there that needs to be taken advantage of. Sweeney Post chose because of their membership to do something different to take care of their membership for parking at their facility. Other businesses around the area have decided to take advantage in small part of those opportunities. If I was in the City's shoes I would certainly want to take advantage of that opportunity. We are not out here to make a dollar off of this. That is not our focus and intention. If we do run it obviously for our time and efforts yes there are expenses and we should, therefore, benefit from that as well but I encourage the City...why not have the City benefit from this. That could go to help offset police funds and raise revenues for other entities, which the City could benefit from.

Chairman Lopez stated, Deputy Chief Simmons, let's talk about the safety issues over there. If there was a problem over there who would pay for it if you had to put two police officers over there?

Deputy Chief Gary Simmons stated in discussions that we have had with Mr. Smith it was our position that it would be a four-man detail at Gill Stadium. There would be one supervisor and three officers based on a variety of issues there. Our intent was that two of those officers would man the outside of the detail dealing with crossing pedestrians at Beech and Valley and Maple once the game started and once that pedestrian traffic milled down. They would go inside and continue to patrol inside the stadium and prior to the game ending they would come back out and help people exiting the stadium at that time. Those costs would be incurred by the ball team itself.

Chairman Lopez asked if a problem arose at JFK Coliseum, let's say...I don't know what but people parked the wrong way and they can't get out who pays for those officers.

Deputy Chief Simmons answered at this point that would be our regular patrol officer who would patrol that area. What we do with events such as the games at Gill Stadium and anything that goes on at JFK...the detail officers on occasion will go out and patrol

the parking lot and look for issues that could take place there as well. That is the main deterrent and we have done that in the past. Our intent was to probably have them do that once in awhile as well but we would also have to rely...unfortunately we would have to rely heavily on the patrols in that area to go through those parking lots during events.

Chairman Lopez asked, Mr. Ludwig, you indicated that there would be some cost if you had to do it. Could you answer that question?

Mr. Ron Ludwig stated if you could just help me, costs associated with what.

Chairman Lopez responded clean up and sending people down there or whatever the case may be.

Mr. Ludwig replied the cost associated with clean up I never said would be exorbitant because we don't really know what to expect from baseball. We have never had it at this level since I have been here in 30 years. We have had some big games like Thanksgiving Day and things like that. Typically we are cleaning the next day, which is a Friday. The trash could be minimal. We would have to wait and see exactly what would be involved there. We know when we have had events at JFK, for instance a wrestling event, there seems to be more trash in the parking lot at sometimes. We really have to pick it up the next day and we do pick it up the next day regardless of the day. So this would be kind of hit and miss on a trial basis and may be minimal giving the way they operate vending inside. I am not sure.

Chairman Lopez stated I think we have had enough discussion. The motion is to accept Scenario #2.

Alderman Gatsas stated I think I made my position pretty clear. If there is going to be a fee charged that fee should go to the City. If there is no fee charged then it should be whoever parks there as it always is and there shouldn't be a charge to do it. There shouldn't be a concern with police and who is going to park the cars and how they are going to park the cars. If it is free, it is as it is and as with any event that I have seen here in the last 50 years you go park your car and you walk up.

Chairman Lopez stated well at the last meeting control was mentioned and that is why we directed them to come back here with information. They came back with the information and it is up to the Committee to accept it or not.

Alderman Smith asked accept what. We voted already not to charge for parking so what are we going to accept? I believe you have to have somebody voting in the affirmative to bring it up.

Chairman Lopez asked, Mr. Clark, is that true.

Solicitor Clark answered no. The Committee took an action and at a subsequent meeting anyone can bring in a motion again.

Alderman Gatsas stated you can bring up business here any time you want. It doesn't matter what the votes are.

Chairman Lopez responded well you requested the information and we have to take a vote on it and that is what we are going to do right now. The motion is to accept Scenario #2 and have the Fisher Cats run the parking lots at JFK and Gill Stadium. The motion failed with Aldermen Gatsas and Smith voting nay.

Mr. Smith stated I have one point of discussion if I could. How will the lots be operated? How will there be control? How will there be...if there is an incident in the parking lot like a break-in...

Chairman Lopez interjected that is not your problem. Your problem is with Gill Stadium. The parking lot at Gill Stadium is your responsibility to operate any way you want. The parking lot at JFK is public property and whatever happens there happens.

Mr. Smith asked who do we direct any questions to that our fans may have.

Chairman Lopez answered you direct them to the Superintendent of Parks or the police or Harry Ntapolis, the insurance agent or other City staff.

Alderman Shea asked is there any provision whereby if for instance problems develop because of parking at JFK...will this Committee reconsider their action this evening. Is there any provision or any amendment that can be...

Chairman Lopez interjected I think there is always a case for reconsideration or a new program to be brought before the Committee. If the Police were to come to us and say that there is a problem over there, then I think we would have to address it.

Alderman Shea stated I know I can't make a motion but under consideration possibly an assessment should be made after the first month or month and a half concerning what is happening there. Somebody should be able to give a report back to the Committee as it were to see if everything is going according to the way we hope it will go or whether there are problems that obviously the City would be liable for. If, for instance, somebody were to get into an accident there and there is a serious injury for whatever reason I think there should be some consideration in that regard.

Chairman Lopez stated the Deputy Chief will keep that in mind and provide this Committee with any incidences that occur.

Deputy Chief Simmons responded yes. As we do with any new events just like we did with Verizon and any major function that comes in obviously we will analyze it, review it and if the need arises we will certainly bring it to your attention.

Alderman Shea stated the person who is responsible for the regular duty there that won't curtail their other responsibilities within that particular ward would it. In other words would there be some type of lack of supervision of other areas of say that particular officer's regular duties if they have to be there at a certain time to...

Deputy Chief Simmons interjected no. They are going to have a detail for the actual baseball games themselves.

Alderman Shea replied I don't mean the fellows that are there working overtime. I mean the regular officers.

Deputy Chief Simmons stated like any other event, Alderman, it would be similar in nature in that we would certainly tell them to pay extra attention and drive through the parking lots, etc. but it wouldn't take away from the neighborhood itself.

Alderman Shea stated I wouldn't want any neighborhoods to suffer.

Alderman Smith stated just to address Alderman Shea's concerns we happen to be neighbors to the skateboard park and I hate to tell you all of the incidents we have in the skateboard park and the Deputy Chief could probably tell you the same. It is going to happen no matter where you go. Somebody slashed my tires on Chestnut Street when I was at a hockey game. Those things happen.

Chairman Lopez stated Alderman Smith you wanted to bring something else up.

Alderman Smith responded yes. I would like to bring up Gill Stadium if I could. I do have some concerns. As you well know I was an advocate of Gill Stadium from Day 1 and there are some issues that haven't been addressed as yet and I would just like to go down the list first Frank and then you can answer them. I know we have all of the parts for seats now right?

Mr. Frank Thomas replied no. We should have them by the end of the week and they should be all installed properly by the rededication date.

Alderman Smith stated one big concern of mine is the bird netting and the reason I say that is I was over at Gill Stadium the other day and we had the brand new seats and the pigeons have been having a holiday already and I hope this is addressed promptly.

Mr. Thomas replied the bird netting above the chairs will get repaired, however, there is some stiffening to the columns that has to be done before that netting gets fixed. The netting underneath the bowl has to be reconnected properly.

Alderman Smith stated in regards to paving that will be addressed as soon as the weather permits...the paving inside by the concession stand.

Mr. Thomas responded the paving in that area will not be done for the opening day of the baseball season but shortly thereafter. As far as the uneven pavement that is there now and some of the cracks, that will be patched by the contractor for opening day.

Alderman Smith asked what about the landscaping. When is that going to take place? You know where it has been disrupted when you come in from the east and west where all of those shrubs were uprooted and so forth. Is that going to be put back in Frank?

Mr. Thomas answered the sidewalk areas we will be paving as soon as Harvey gives us the okay to get in there. Some of that landscaping will get done but again it is a lower priority than finishing up the renovations to the facility.

Alderman Smith stated I have two other items. The Central High locker room. I know it is not on an immediate schedule but will that be done sometime in mid-June or July?

Mr. Thomas responded no. That should be done in the very near future. If you go in there now you will see that a majority of the work is completed both in the Central area and also the visiting team area.

Alderman Smith asked the albatross out there, the steel structure for the elevator, that is going to be similar to the brickwork that we have on the grandstands so it is somewhat historical.

Mr. Thomas answered that will be enclosed. The portion facing Valley Street will have a brick face on it and the other two sides will have block type of construction.

Alderman Smith stated my last thing, Frank, is in regards to the windows in the restroom. I think they need attention. They are rusted and decayed on both the existing men's and women's rooms. Also painting the ramps. As you go up the east and west side, the existing ramps we have now, if that could be addressed. I know that was a concern of Ron Ludwig's and I am really concerned about the windows in the restroom.

Mr. Thomas replied Harvey Construction is going to be sealing some of the joints and leaks in the facility. Once that is done, the Highway Department will seal those ramps with a driveway type of sealer. Windows. This is the first I have heard about the windows. I will have to check into it. I do have a little bit of money left.

Alderman Smith stated I just want everybody to know that I do have my season tickets here for the Fisher Cats regardless of what anybody thinks.

Alderman Gatsas asked Frank can you explain to me where Alderman Smith was going when he asked the question about the sealing of the ramps. Those are still leaking?

Mr. Thomas answered there is leaking going on into the coaches office area. Part of Exhibit B or part of the work that Harvey was contracted to do as part of the GMP was to seal the ramp areas where they but up against the vertical structure. They haven't done that yet. Once that is done, as I mentioned, we will go in and put a sealer on the ramp areas.

Alderman Gatsas asked, Mr. Ludwig, wasn't there an awful lot of federal money put into those ramps not very long ago for that specific reason of leaking.

Mr. Ludwig answered to the best of my memory I am not sure because I am somewhat unfamiliar with what the scope of the work is over there. Where the ramp meets the vertical wall or the brick wall, as well as where the top of the ramp actually meets the wooden grandstand and where it transitions from asphalt to wood, those were all done over and flashed in with copper in 1985.

Alderman Gatsas asked it is still leaking.

Mr. Ludwig answered I couldn't tell you.

Chairman Lopez stated well let's find out and bring it to the next meeting.

Alderman Gatsas asked are we going to get a financial update.

Chairman Lopez answered on April 5 we will get a financial update and all of the other things that we normally get.

Alderman Gatsas asked what other discussions can we look forward to on April 5. Will we get information before April 5?

Chairman Lopez answered yes. You will get an agenda before April 5.

Alderman Gatsas stated I understand that but the agenda has been a very narrow agenda, which doesn't seem to be the same agenda that you got.

Chairman Lopez responded that is an unfair statement because each of the Committee members have been with me on many occasions in talking about. Everything I get, you get. Let's keep that in the right perspective.

Alderman Smith stated in regards to Alderman Gatsas' question about the ramps leaking, it says here "the leaks on the Valley Street ramps will be fixed as soon as the weather permits" and that was from the consulting group.

There being no further business, on motion of Alderman Smith, duly seconded by Alderman Lopez it was voted to adjourn.

A True Record. Attest.

Clerk of Committee